

HEATHER E. WILLIAMS, SBN 122664
Federal Defender
HOOTAN BAIGMOHAMMADI, SBN 279105
Assistant Federal Defender
Designated Counsel for Service
801 I Street, Third Floor
Sacramento, CA 95814
T: (916) 498-5700
F: (916) 498-5710

Attorneys for Defendant
Mr. Garcia

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) Case No. 2:20-cr-00181-JAM-1
Plaintiff,)
vs.) STIPULATION AND ORDER TO CONTINUE
) STATUS CONFERENCE AND EXCLUDE TIME
MICHAEL GARCIA.) Date: July 30, 2024
Defendants.) Time: 9:00 a.m.
) Judge: Hon. John A. Mendez

IT IS HEREBY STIPULATED and agreed by and between United States Attorney Phillip A. Talbert, through Assistant United States Attorney Adrian Kinsella, counsel for Plaintiff; and Federal Defender Heather Williams, through Assistant Federal Defender Hootan Baigmoammadi, counsel for Defendant Michael Garcia that the status hearing currently set for September 24, 2024 at 9:00 be continued to October 22, 2024 at 9:00 a.m.

The parties specifically stipulate as follows:

- By previous order, this matter was set for a status on September 24, 2024 at 9:00 a.m. In its order, the Court mentioned that no further extensions would be granted absent good cause.
- By stipulation, Mr. Garcia now moves to continue the status conference to **October 22, 2024, at 9:00 a.m.**
- The government has produced roughly 2,000 pages and various video and audio

recordings in discovery.

4. Good cause exists because Mr. Garcia requires additional time to review a revised plea offer made to him on September 6, 2024. He is housed at Yuba County Jail and defense counsel has not had the opportunity to visit him and review the offer.
5. Mr. Garcia believes that failure to grant the requested continuance would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.
6. The government does not object to the continuance.
7. For the purpose of computing time under 18 U.S.C. § 3161 *et seq.* (Speedy Trial Act), the parties request that the time period between September 24, 2024 and October 22, 2024, inclusive, be deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv) (Local Code T4), because it would result from a continuance granted by the Court at the defense's request, based on a finding that the ends of justice served by granting the continuance outweighs the best interest of the public, Mr. Garcia, and Ms. Garcia in a speedy trial.

Respectfully submitted,

HEATHER E. WILLIAMS
Federal Defender

Date: September 16, 2024

/s/ Hootan Baigmohammadi
HOOTAN BAIGMOHAMMADI
Assistant Federal Defender
Attorneys for Mr. Garcia

Date: September 16, 2024

PHILLIP A. TALBERT
United States Attorney

/s/ Adrian Kinsella
Adrian Kinsella
Assistant United States Attorney
Attorneys for Plaintiff

ORDER

The Court, having received and considered the parties' stipulation, and good cause appearing therefrom, **ADOPTS** the parties' stipulation in its entirety as its order.

IT IS SO ORDERED.

Dated: September 17, 2024

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE